

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

SOLEL UMANI, #191221,  
a.k.a Anthony Bethea,

Plaintiff,

v.

Case No. 07-CV-10649  
Hon. Anna Diggs Taylor  
Magistrate Judge Charles E. Binder

HUGH WOLFENBERGER, Warden,  
JOE SCOTT, ADW, KEITH GREEN, FSD,  
and CONNIE IGNASIAK,

Defendants.

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**ORDER ADOPTING MAGISTRATE'S REPORT AND RECOMMENDATION**

This matter is before the court on Magistrate Judge Charles E. Binder's Report and Recommendation of June 16, 2009, denying Defendants' Motion for Summary Judgment.

The court has reviewed the file, the Magistrate Judge's Report and Recommendation, and Plaintiff's and Defendants' objections filed thereto. The court finds that the law cited by the Magistrate has been correctly placed and is controlling in this matter.

THEREFORE, the court will accept the Magistrate's Report and Recommendation of June 16, 2009, as the findings and conclusions of this court.

Accordingly,

IT IS HEREBY ORDERED that Magistrate Judge Binder's Report and Recommendation of June 16, 2009, is ACCEPTED and ADOPTED.

IT IS FURTHER ORDERED Defendants' Motion for Summary Judgment (Doc. 64) is **DENIED**, for the reasons stated in the Magistrate's Report and Recommendation (Doc. 71).

**IT IS SO ORDERED.**

DATED: July 13, 2009

s/Anna Diggs Taylor  
ANNA DIGGS TAYLOR  
UNITED STATES DISTRICT JUDGE

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing Order was served upon counsel of record via the Court's ECF System to their respective email addresses or First Class U.S. mail disclosed on the Notice of Electronic Filing on July 13, 2009.

Solel Umani, #191221  
Newberry Correctional Facility  
3001 Newberry Avenue  
Newberry MI 49868-1340

s/Johnetta M. Curry-Williams  
Case Manager